

REMARKS

This Amendment is responsive to the Final Office Action dated November 28, 2005. Applicant respectfully requests entry of this Amendment as features currently recited in the claims were present during previous consideration of the pending claims. Moreover, Applicant submits that the application is now clearly in condition for allowance.

Claims 1-4 and 13-15 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Pub. No. 2002/0190302 to Bojarczuk ("Bojarczuk").

Independent claim 1 has been amended to recite: [a] *semiconductor device comprising:*

a semiconductor substrate;

a high-dielectric-constant film on the semiconductor substrate; and

a nitride layer on the high-dielectric-constant film,

wherein the high-dielectric constant film is selected from film comprised of enhanced dielectric materials including PrO_2 , silicate film derived from said enhanced dielectric materials, film having multi-element materials including PrO_2 , and film having multi-layered structures including at least two layers of said silicate film.

These claimed features are neither disclosed nor suggested by Bojarczuk. Bojarczuk discloses a CMOS gate stack having a high dielectric constant gate dielectric and an integrated diffusion barrier. Although the Bojarczuk reference is not very descriptive regarding the details of fabrication or the corresponding device, Bojarczuk appears to make passing reference to the possible implementation of a variety of materials for an insulating layer the gate stack. (See, e.g., ¶0018). However, even assuming for the sake of argument that there is an adequate disclosure in Bojarczuk regarding the particularly named materials, there is no mention, and no suggestion of any kind regarding the implementation of PrO_2 for the enhanced dielectric material in a high-dielectric constant film as claimed by Applicant.

Claim 13 is also neither disclosed nor suggested by Bojarczuk for reasons similar to those provided regarding claim 1. Additionally, dependent claims 2-4 and 14-15 directly or indirectly incorporate the features in the respective independent claims, as well as their own patentably distinct features, and thus are also neither disclosed nor suggested by Bojarczuk.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1-4 and 14-15 as under 35 U.S.C. § 102(b) as being anticipated by Bojarczuk.

Claims 5 and 16 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Bojarczuk.

As described above, Bojarczuk neither discloses nor suggests features recited in Applicant's independent claims 1 and 13. Claims 5 and 16 respectively depend from those independent claims, incorporate the features recited therein, and thus are neither disclosed nor suggested by Bojarczuk for the described reasons. Moreover, Bojarczuk offers no disclosure or suggestion of the boron-contained silicon layer further recited in claims 5 and 16.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 5 and 16 under 35 U.S.C. § 103(a) as being unpatentable over Bojarczuk.

For the foregoing reasons, reconsideration and allowance of the claims which remain in this application are solicited. If any further issues remain, the Examiner is invited to telephone the undersigned to resolve them.

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Respectfully submitted,

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